

CONSERVATION PLAN FOR AQUATIC LANDS

Suggested Format for Exhibit B: Conservation Plan

The broad goal of authorizing conservation activities is to provide for healthier and more functional habitat on state-owned aquatic lands. The specific purposes of conservation activities are:

1. To encourage efforts by public agencies (other than the department) and private parties to restore, enhance, and preserve aquatic habitat on state-owned aquatic lands.
2. To provide an easy and effective mechanism to authorize these aquatic habitat projects on state-owned aquatic lands.
3. To protect the public's broader interests, including environmental protection and other public benefits, in the management of the state-owned aquatic lands.

Conservation activities can be accomplished through non-regulatory restoration, enhancement, and/or creation of aquatic habitat. Activities done as a result of compensatory mitigation requirements are not eligible for a conservation lease. The following definitions for appropriate activities for a conservation lease, easement or license are from the US Army Corps of Engineers.

Enhancement

Enhancement occurs on sites that have been degraded relative to their historical habitat conditions, but they still retain some level of aquatic function. Enhancement activities include manipulation of site characteristics to heighten, intensify, or improve specific functions. Enhancement activities also include habitat improvements that increase species abundance or levels of production. Examples of enhancement include: depositing material (cultch) to attract native oyster larvae and build up native oyster populations; installing large-woody debris in river banks to increase channel complexity and habitat available for juvenile fish; or placing gravel on a beach to improve beach spawning habitat.

Restoration

Restoration occurs on sites that have been degraded to such an extent that they no longer provide any of their historically occurring natural aquatic functions. The goal of restoration activities is to return naturally occurring or historical functions to the site. Examples of restoration activities include: removing fill from historic shorelands to re-establish a lake's natural beach, elevation gradient, and aquatic functions; or removing invasive plants (that have colonized a historic saltwater marsh to the extent that it is non-functional) and planting native species.

Creation

Creation can technically occur on any site, regardless of the condition of the site relative to

its historical condition. Creation activities include the development of specific types of aquatic species and/or habitats that have not previously existed on the site and are artificially developed (or “created”). Creation can include changing terrestrial habitat to aquatic habitat and/or changing one type of aquatic habitat into a different type. Examples of creation include: creating riverine oxbows or sloughs in areas where they did not historically occur; filling a subtidal area to create intertidal areas; or digging blind tidal channels where none previously existed.

Preservation

Preservation occurs on site that are relatively intact compared to their historical habitat conditions. Preservation is accomplished through the removal of a threat to, or preventing the decline of, site conditions by preventing an action in or near the site. Aquatic functions are maintained at current conditions and protected from future activities. Examples of preservation actions may include, among others: encumbering the site as a conservation site; restricting activities on the site; monitoring the site for non-native species and preventing them from becoming established; and education and outreach efforts that call attention to the intrinsic natural values of the site and encourage its preservation.

A conservation license is not appropriate for placing permanent or semi-permanent structures on the property, placing such an array of sensors or gauges as to interfere with use and enjoyment of the property by others, activities which will cause more than a minimal, short-lived disruption to the property. Similarly, conservation leases are appropriate for preservation related activities because the lease allows for the long-term obligation that is necessary to achieve the goals of preservation.

Proponents for a conservation lease, easement, or license must clearly identify conservation goals for the property and the specific activities to support those goals within a Conservation Plan. The Conservation Plan does not need to be an exhaustive document prepared by habitat conservation professionals. It must, however, provide a clear enough explanation of the project that the department can assess its ability for success and potential impacts. The suggested format for a conservation plan includes:

- 1) **Introduction** – This section should state the project goal and the primary objectives that will assist in achieving that goal. Information should be included on how achieving the objectives will help achieve the goal.
- 2) **Project Description** – Information regarding the project design, and specific activities should be included in this section. In addition, timelines and schedules for implementation and development should be included. Details should be given regarding the processes, tools, and materials necessary to complete the work such as chemicals, cultch, methods of predator control, sources of stock, etc.

- 3) **Project Importance** – This section provides an opportunity to describe the landscape context of the project, i.e., scale and size of the project, connectivity in relation to surrounding habitats. This section can also be used to address how the project will avoid or minimize impacts to surrounding uses. In addition, this section should also describe the consequences of not conducting the project at this time, including the current level and imminence of risk to habitat.
- 4) **Long-term Stewardship and Monitoring** – This section should focus on the “long-term” actions of the proponent. This may have different implications for a conservation license than for a conservation lease but in general this section should describe the methods by which the activity will be maintained for the term of the authorized use. In developing this section, projects should be consistent with habitat forming processes in the watershed, which will require less up-keep and long-term maintenance over time. Additionally this section should include details on monitoring objectives, activities, and timelines.
- 5) **Performance Measures and Adaptive Management** – Project proponents must include performance measures and relate them to the goal and objectives of the project. Every conservation action must have explicit performance measures that directly relate to the goals of the project, i.e., growth rates or survival of salmon, sedimentation rates, change in recruitment of large wood, and change in the amount of specific habitat type(s). In addition to the performance measures, include adaptive management approach to address necessary changes to the proposal or conditions.
- 6) **Management Capability** – In addition to information regarding financial ability to complete the project, proponents should provide details on all project partners, including volunteers. Proponents should briefly outline relevant experience, training, and contribution to the project for all project participants.

A detailed description or plan of operations for the project prepared in order to gain grant funding or permit approval may be sufficient for Exhibit B.